

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 7058 - SB 7008

August 21, 2023

SUMMARY OF BILL: Requires licensed physicians, certified nurse practitioners, and licensed physician assistants who determine that a service recipient has communicated an actual threat of bodily harm against a victim to take reasonable care to predict, warn of, or take precautions to protect the identified victim from the service recipient's violent behavior, if it is determined that the service recipient has the apparent ability to commit such an act and is likely to carry out the threat unless prevented from doing so. Requires licensed physicians, certified nurse practitioners, and licensed physician assistants to report such a threat of serious bodily harm or death to local law enforcement.

Takes effect October 1, 2023.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 33-3-206, if a service recipient has communicated to a qualified mental health professional or behavior analyst an actual threat of bodily harm against a clearly identified victim and it has been determined or reasonably should have been determined that the service recipient has the apparent ability to commit such an act and is likely to carry out the threat unless prevented from doing so, then the mental health professional or behavior analyst must take reasonable care to predict, warn of, or take precautions to protect the identified victim from the service recipient's violent behavior.
- The proposed legislation will expand such duty to certain specified healthcare providers, and include credible threats made without a clearly identified victim.
- Local law enforcement can handle any increase in reports of threats of bodily harm utilizing existing personnel and resources.
- The proposed legislation will not have a significant impact on the Department of Health or the Department of Mental Health and Substance Abuse Services.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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